

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6702 of 2011

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Arun Kumar Shrivastava, son of Late Nand Kishore Prasad, Resident of Village Ram Karan Pakri, P.S.- Chakiya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Bihar, Patna.
2. The Secretary, Human Resources Development Department, Bihar, Patna.
3. The Director, Higher Education, Human Resources Development Department, Bihar, Patna.
4. B.R. Ambedkar Bihar University, Muzaffarpur, through its Registrar.
5. The Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur.
6. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur.
7. The Principal, K.C.T.C. College, Raxaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Advocate
For the Respondent/s	:	Mr. Ram Balak Mahto AG
For the University	:	Mr. Ajay Bihari Sinha, Advocate
		Mr. Upendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

24 20-06-2018 Heard Mr. Abhinav Srivastava, learned counsel for the petitioner and the learned counsel appearing on behalf of the State as well as the University.

During the pendency of the writ application, respondents have restored the salary of the petitioner realizing their mistakes from July, 2017. The petitioner is getting regular salary, however, petitioner has not been paid his salary for the period November, 2012 to June, 2017. In the matter of payment of salary, the respondents are required to only examine two facts firstly whether the appointment of the petitioner is



legal and valid. Secondly, whether the petitioner has worked for the period he is claiming his salary. In the instant case, there is no dispute with regard to validity of his appointment as lecturer. The only dispute which is required to be decided is based on the factual enquiry whether the petitioner has worked for the period as claimed by him.

Under the aforesaid circumstances, the respondents are hereby directed to verify the record and if the petitioner has worked from November, 2012 to June, 2017, the university is obliged to make payment of the entire salary for the period as mentioned above within a period of 60 days from the date of receipt/production of a copy of this order, failing which the entire arrears will carry interest at the rate of 9 per cent per annum from the pocket of erring officers/employee of the University. The Vice-chancellor and Registrar of the University shall cause an enquiry into the matter for identification and fixing accountability of erring officer.

With the aforesaid, the writ petition stands disposed of

(Anil Kumar Upadhyay, J)

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